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Fax No. 703-746-4060

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on September 27, 2004, to the above-identified facsimile number.

Karen L. Pfeiffer (Signature)

FROM: Karen L. Pfeiffer (Typed or printed name of person signing Certificate)

Fax No. 513-622-3300

Phone No. 513-622-3954

Listed below are the item(s) being submitted with this Certificate of Transmission:**

- 1) Fee Transmittal (1 page)
- 2) Completion of Filing Requirements (1 page)
- 3) Signed Declaration w/ POA (2 pages)
- 4) Copy of Notice to File Missing Parts (2 pages)
- 5) Power of Attorney (1 page)

Number of Pages Including this Page:

Inventor(s): Paul Albert Sagel et al.

S.N.: 10/820,590

Filed: April 8, 2004

Case: 9031R

RECEIVED
SEP 28 2005
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Comments:

***** NOTE – Refaxing (originally faxed on Friday 9/24/04) to include Power of Attorney. *****

**Note: Each paper must have its own certificate of transmission, OR this certificate must identify each submitted paper.



P&G Case 9031R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of
Paul Albert Sagel et al.
Serial No. 10/820,590
Confirmation No. 8118
Filed April 8, 2004

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:

For Tooth Whitening Products

COMPLETION OF FILING REQUIREMENTS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed August 11, 2004. A copy of the Notice to File Missing Parts of Application-Filing Date Granted (Form PTO-1533) is enclosed.

No declaration or oath was filed. Enclosed is a copy of the original, signed declaration or oath for this application.

The Director is hereby authorized to charge payment of the surcharge set forth in 37 CFR §1.16(e) to Deposit Account No. 16-2480. The Director is also hereby authorized to charge payment of any patent application processing fees under 37 C.F.R. §§1.16 and 1.17 associated with this communication or credit any over-payment to Deposit Account No. 16-2480.

The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Respectfully submitted,

By

James C. Vago
Attorney or Agent for Applicant(s)
Registration No. 40,855
(513) 622-4433

Date: 9/27/04
Customer No. 27752



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/820,590	04/08/2004		9031R

27752
THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
WINTON HILL TECHNICAL CENTER - BOX 161
6110 CENTER HILL AVENUE
CINCINNATI, OH 45224

CONFIRMATION NO. 8118

FORMALITIES LETTER



OC000000013502154

Date Mailed: 08/11/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

S. Gorems

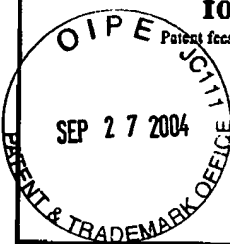
Customer Service Center

Initial Patent Examination Division (703) 308-1202

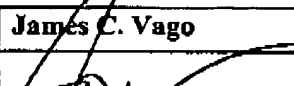
PART 2 - COPY TO BE RETURNED WITH RESPONSE

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FEE TRANSMITTAL for FY 2004		Complete if Known	
 <p>Patent fees are subject to annual revision.</p>		Application Number	10/820,590
		Confirmation Number	8118
		Filing Date	April 8, 2004
		First Named Inventor	Paul Albert Sagel
		Examiner Name	
		Art Unit	1614
TOTAL AMOUNT OF PAYMENT (\$130)		Attorney Docket No.	9031R

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																													
<p>1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to:</p> <p>Deposit Account Number: 16-2480</p> <p>Deposit Account Name: The Procter & Gamble Company</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Code</th> <th>(\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>Surcharge-late filing fee or oath</td> <td>[130]</td> </tr> <tr> <td>1052</td> <td>50</td> <td>Surcharge-late provisional filing fee or cover sheet</td> <td>0</td> </tr> <tr> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td>0</td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td>0</td> </tr> <tr> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner's action</td> <td>0</td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner's action</td> <td>0</td> </tr> <tr> <td>1251</td> <td>110</td> <td>Extension for reply within 1st month</td> <td>0</td> </tr> <tr> <td>1252</td> <td>420</td> <td>Extension for reply within 2nd month</td> <td>0</td> </tr> <tr> <td>1253</td> <td>950</td> <td>Extension for reply within 3rd month</td> <td>0</td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>Extension for reply within 4th month</td> <td>0</td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>Extension for reply within 5th month</td> <td>0</td> </tr> <tr> <td>1401</td> <td>330</td> <td>Notice of Appeal</td> <td>0</td> </tr> <tr> <td>1402</td> <td>330</td> <td>Filing a brief in support of an appeal</td> <td>0</td> </tr> <tr> <td>1403</td> <td>290</td> <td>Request for oral hearing</td> <td>0</td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td>0</td> </tr> <tr> <td>1452</td> <td>110</td> <td>Petition to revive - unavoidable</td> <td>0</td> </tr> <tr> <td>1453</td> <td>1,330</td> <td>Petition to revive - unintentional</td> <td>0</td> </tr> <tr> <td>1501</td> <td>1,330</td> <td>Utility issue fee (or reissue)</td> <td>0</td> </tr> <tr> <td>1502</td> <td>480</td> <td>Design issue fee</td> <td>0</td> </tr> <tr> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> <td>0</td> </tr> <tr> <td>1807</td> <td>50</td> <td>Processing fee under 37 C.F.R. 1.17(q)</td> <td>0</td> </tr> <tr> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Statement</td> <td>0</td> </tr> <tr> <td>1809</td> <td>770</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td>0</td> </tr> <tr> <td>1810</td> <td>770</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td>0</td> </tr> <tr> <td>1801</td> <td>770</td> <td>Request for Continued Examination (RCE)</td> <td>0</td> </tr> <tr> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td>0</td> </tr> <tr> <td>1454</td> <td>1330</td> <td>Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)</td> <td>0</td> </tr> <tr> <td colspan="2"></td> <td>Other fee (specify) _____</td> <td>0</td> </tr> <tr> <td colspan="2"></td> <td>Other fee (specify) _____</td> <td>0</td> </tr> <tr> <td colspan="2">* Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL(3)</td> <td>(\$) [130]</td> </tr> </tbody> </table>		Code	(\$)	Fee Description	Fee Paid	1051	130	Surcharge-late filing fee or oath	[130]	1052	50	Surcharge-late provisional filing fee or cover sheet	0	1053	130	Non-English specification	0	1812	2,520	For filing a request for <i>ex parte</i> reexamination	0	1804	920*	Requesting publication of SIR prior to Examiner's action	0	1805	1,840*	Requesting publication of SIR after Examiner's action	0	1251	110	Extension for reply within 1 st month	0	1252	420	Extension for reply within 2 nd month	0	1253	950	Extension for reply within 3 rd month	0	1254	1,480	Extension for reply within 4 th month	0	1255	2,010	Extension for reply within 5 th month	0	1401	330	Notice of Appeal	0	1402	330	Filing a brief in support of an appeal	0	1403	290	Request for oral hearing	0	1451	1,510	Petition to institute a public use proceeding	0	1452	110	Petition to revive - unavoidable	0	1453	1,330	Petition to revive - unintentional	0	1501	1,330	Utility issue fee (or reissue)	0	1502	480	Design issue fee	0	1460	130	Petitions to the Commissioner	0	1807	50	Processing fee under 37 C.F.R. 1.17(q)	0	1806	180	Submission of Information Disclosure Statement	0	1809	770	Filing a submission after final rejection (37 CFR § 1.129(a))	0	1810	770	For each additional invention to be examined (37 CFR § 1.129(b))	0	1801	770	Request for Continued Examination (RCE)	0	1802	900	Request for expedited examination of a design application	0	1454	1330	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	0			Other fee (specify) _____	0			Other fee (specify) _____	0	* Reduced by Basic Filing Fee Paid		SUBTOTAL(3)	(\$) [130]
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	James C. Vago	Registration No.	40,855
Signature		(Attorney/Agent)	
		Telephone	(513) 622-4433
		Date	5/24/04

This collection of information is required by 37 C.F.R. 1.11. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 C.F.R. 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1458, Alexandria, VA 22313-1450.

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